

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

RUTH SMITH, Individually and as Widow for the)
Use and Benefit of Herself and the Next Kin of)
Richard Smith, Deceased,)
Plaintiff,) Civil No. 3:05-0444
v.) Judge Aleta A. Trauger
PFIZER, INC., *et al.*,) (Dist. Of MA No.
Defendants.) 1:05-cv-11515PBS)

**DECLARATION OF MARK S. CHEFFO IN SUPPORT OF DEFENDANTS'
MOTION IN LIMINE TO EXCLUDE THE TESTIMONY OF CHARLES KING**

I, Mark S. Cheffo, declare and state as follows:

1. I am a partner with the law firm of Skadden, Arps, Slate, Meagher & Flom LLP, counsel for Defendants Pfizer Inc and Warner-Lambert Company LLC. I make this declaration based on my own personal knowledge and information.
2. Attached as Exhibit A is a true and correct copy of excerpts from the expert report for Charles King, III.
3. Attached as Exhibit B is a true and correct copy of excerpts from the October 28, 2008, deposition of Charles King, III.
4. Attached as Exhibit C is a true and correct copy of excerpts from the transcript of the April 1, 2010, trial proceedings in the case *Shearer v. Pfizer*.

Signed under the penalties of perjury this 16th day of April, 2010.


Mark S. Cheffo

CERTIFICATE OF SERVICE

I hereby certify that on this the 16th day of April 2010, I electronically filed the foregoing document with the Clerk of the Court, United States District Court for the Middle District of Tennessee, using the CM/ECF system. True and correct copies of the foregoing documents are being served via the Court's CM/ECF system on the following:

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